

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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ARTHUR PORTER

Petitioner,

Case No. 1:07-CV-781

v.

HON. GORDON J. QUIST

MARY BERGHUIS,

Respondent.

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**ORDER**

The Court has before it the Magistrate Judge's Report and Recommendation entered on November 8, 2007. After considering Petitioner's objections,

**IT IS HEREBY ORDERED** that the Report and Recommendation (docket no. 3) is **APPROVED AND ADOPTED IN PART** and **REJECTED IN PART**. The report is **APPROVED AND ADOPTED** with respect to Petitioner's due process, equal protection, and Eighth Amendment claims. The report is **REJECTED** with respect to Petitioner's First Amendment retaliation claim.

Dated: January 2, 2008

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE